

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: WINSTAR WIRELESS, INC.	DOCKET NOS. TCU-00-7 WRU-00-13-3060
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**ORDER GRANTING APPLICATION, APPROVING CONCURRENCE IN MAPS,
AND GRANTING WAIVERS**

(Issued May 15, 2000)

On February 14, 2000, Winstar Wireless, Inc. (Winstar), filed an application for issuance of a certificate of public convenience and necessity, pursuant to Iowa Code § 476.29 (1999), stating its intention to provide resold and facilities-based local exchange service in Iowa. Winstar stated its intention to provide service in the territories of U S WEST Communications, Inc. (U S WEST), and GTE Midwest Incorporated (GTE). Winstar will adopt the current maps of U S WEST and GTE.

Iowa Code § 476.29(2) (1999) provides that the local exchange carrier shall not be denied a certificate if the Utilities Board (Board) finds that the applicant "possesses the technical, financial, and managerial ability to provide the service it proposes to render and the board finds the service is consistent with public interest." The Board has carefully reviewed Winstar's application and finds Winstar has demonstrated that it has the necessary technical, financial, and managerial ability to provide local exchange service. It is in the public interest to grant a certificate to Winstar.

Winstar requested a waiver of 199 IAC 16.5(2), which requires it to use a prescribed system of accounts, and 199 IAC 18.2, which requires it to maintain its books and records in Iowa. Winstar stated it employs an accounting system in accordance with generally accepted accounting principles and that those records are kept at its principle place of business in Washington, D.C., but will be made available to the Board as necessary.

Winstar also requested the Board waive 199 IAC 22.3(1) requiring it to independently publish a directory, stating that it will provide for the listing of its customers' telephone numbers in the appropriate local directory.

The Board finds it reasonable to grant Winstar's requests for waivers. Based on the nature of the local exchange service Winstar will provide, the Board finds that none of these requirements are appropriate at this time. The Board will be able to adequately review the records if it becomes necessary. Until or unless Winstar serves a very large number of customers, it is unnecessary for it to publish a separate directory in Iowa.

IT IS THEREFORE ORDERED:

1. The application for a certificate of public convenience and necessity filed by Winstar Wireless, Inc., on February 14, 2000, is granted, subject to the requirement that follows.

2. At the time Winstar Wireless, Inc., files tariffs with the Board, it must give notice to all affected local exchange carriers. Upon approval of tariffs to reflect the prices, terms, and conditions of local exchange service in Iowa offered by

Winstar the Board will issue a certificate of public convenience and necessity allowing it to provide local exchange service in Iowa.

3. The concurrence in the U S WEST Communications, Inc. and GTE Midwest Incorporated maps and boundaries by Winstar is approved.

4. Winstar's requests for waiver of 199 IAC 16.5(2), 18.2, and 22.3(1) are granted.

UTILITIES BOARD

/s/ Allan T. Thoms

/s/ Susan J. Frye

ATTEST:

/s/ Raymond K. Vawter, Jr.
Executive Secretary

/s/ Diane Munns

Dated at Des Moines, Iowa, this 15th day of May, 2000.